

## **CONSUMER ADVISORY FROM ATTORNEY GENERAL BLUMENTHAL: PRIVACY POLICY NOTICES**

Pursuant to federal law, financial service companies must mail you notices to tell you of your rights to limit them from sharing your personal information to other companies. **In order to prevent these companies from sharing your personal information with other companies, you must notify the company that you do not want the information disclosed.**

Some financial companies are including a form, which you can return by mail, that allows you to indicate whether you want private information you give them shared with other companies. However, if you find it difficult to understand these notices or forms, or if you don't get a form in the mail, you may still send your own letters to your financial service companies telling them not to disclose your personal information to other companies.

As the Attorney General, I have prepared the following consumer advisory to help you learn more about this new law and how it can help you protect your privacy.

### **CONTROLLING YOUR FINANCIAL PRIVACY**

Many consumers are under the mistaken impression that when they give private information to a company, it can't be shared with anyone else. Unfortunately, the reality is that companies often share private information. Many times private information is sold to telemarketers and others who solicit consumers with unwanted phone calls and "junk" mail solicitations.

Generally, financial service companies such as banks, credit unions, or insurance companies have been permitted to share information they have gathered from consumers. However, in 1999 the United States Congress passed a new law, the Gramm-Leach-Bliley Act, which gives you the consumer the right to stop the sharing of much of your financial information with other companies such as telemarketers and direct mail companies in most circumstances. **To exercise this right, you must notify the company that you don't want your information shared, a process called "opting-out." Unless you "opt-out," a company is free to share your information.**

**The kinds of information that may be shared unless you opt-out.** The Act permits the sharing or selling of what the law calls "nonpublic personal information" to third-parties unless you opt-out. This information includes information that you provide to the company and the company gathers from its relationship with you. It therefore includes highly personal information such as account balances, transaction histories, and credit or debit card purchase histories.

**With whom may the information be shared or sold?** The Act gives you the right to opt-out of the sharing of information with other companies in most circumstances. Even if you opt-out, the law permits a financial services company to share your personal information with its affiliates (related companies). However, some companies choose to give you the right to opt-out of affiliate information sharing.

**How to restrict the sharing or selling of your information.** If you do not want your personal information shared for marketing purposes with unrelated companies, it is important that you exercise your opt-out rights. The Gramm-Leach-Bliley Act requires financial service companies to notify consumers once a year of their privacy policies. **You must notify each company from which you received a privacy policy of your request.** You may do this by following the directions as described in the privacy policy, or you may send a letter, including your account numbers, to the company informing it that you do not want your information shared with other companies. **Some companies provide toll-free numbers, which may be the most convenient way to opt-out.**

**Read the privacy policies carefully.** It is important that you read these privacy policies carefully. Many consumers find some of these notices unclear or even misleading. A company may say it is "protecting your privacy," when it intends to share your personal information unless you tell it not to. On the other hand, some companies may voluntarily refrain from sharing your personal information, even with affiliates.

**When may I opt-out?** You may opt-out of the sharing of your personal information with other companies at any time, even if it has been months since you received your privacy policy.

**What else may I do to protect my financial privacy?** You may want to ask for a copy of a company's privacy policy before you apply for an account. This gives you the ability to "shop" for services based on a company's commitment to your privacy, and to inform the company of your desire to "opt out" of the information sharing right from the beginning.